

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2007-142113-002 DT

12/08/2011

HON. SHERRY K. STEPHENS

CLERK OF THE COURT
C. Jackson
Deputy

STATE OF ARIZONA

JOSEPH WILLIAM WATERS

v.

THEODORE ROOSEVELT HOLLOWAY III
(002)

DANIEL R RAYNAK

DISPOSITION CLERK-CSC
VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY
DAY FOUR

Courtroom ECB 412

State's Attorney:	Joseph Waters and Eric Yuva
Defendant's Attorney:	Daniel Raynak
Defendant:	Present

Court Reporter, Michael Babicky, is present.

A record of the proceeding is also made by audio and/or videotape.

Case Agent, Michael Meelhuysen, is present assisting counsel for the State.

10:33 a.m. Trial to Jury continues from 12/7/2011.

The jury is not present.

Discussions having been conducted by the Court and counsel in chambers,

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Further discussions are held on the record between the Court and counsel regarding defense Motion to Strike the Testimony of Tonya Marchiol.

THE COURT FINDS that the subject matter was not collateral or cumulative.

THE COURT FURTHER FINDS specifically that Tonya Marchiol's responses related to matters elicited by the State under direct examination.

The Court FURTHER FINDS that the issues relate to the specific events of the crimes charged.

IT IS ORDERED granting defense Motion to Strike the Testimony of Tonya Marchiol.

IT IS FURTHER ORDERED striking all of Ms. Marchiol's testimony.

The State moves for Motion to Dismiss.

IT IS ORDERED granting the State's Motion to Dismiss with prejudice.

10:35 a.m. The jury is now present.

The Court advises the jury that this case has been dismissed with prejudice.

The jury is excused from further consideration of this cause

Exhibits: Released to the parties.

10:38 a.m. Trial concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.